

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT J. MURRAY,

Plaintiff,

v.

GENE CLARK, *et al.*,

Defendants.

No. 4:21-CV-00122

(Chief Judge Brann)

ORDER

NOVEMBER 15, 2022

AND NOW, upon consideration of Plaintiff's motion to strike,¹ in which Plaintiff asks the Court to strike Defendants' answers to his own motion to compel discovery,² and the Court observing that Plaintiff's motion to compel sought responses to his "request for admissions,"³ which request was in fact additional interrogatories,⁴ and further observing that Defendants provided answers to those interrogatories,⁵ and the Court thus finding that Plaintiff's request to strike Defendants' response and instead deem admitted his requests for admissions (which are not, in fact, requests for admissions) is both contrary to his own motion to compel and not prescribed by the Federal Rule of Civil Procedure 36(a)(3)

¹ Doc. 78.

² *See id.*

³ *See* Doc. 74.

⁴ *See* Doc. 77 at 1.

⁵ *See generally* Doc. 76.

because he did not serve Defendants with requests for admissions under Rule 36,

IT IS HEREBY ORDERED that Plaintiff's motion to strike (Doc. 78) is

DENIED.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge